

## CHARGE SHEET

## I. PERSONAL DATA

1. NAME OF ACCUSED (Last, First, MI) BIESIADA, Kazimir M.	2. SSN (b) (6), (b) (7)(C)	3. RANK/RATE MIDN 2/C	4. PAY GRADE MIDN
5. UNIT OR ORGANIZATION U.S. Naval Academy		6. CURRENT SERVICE a. INITIAL DATE 30 Jun 11 b. TERM 4 yrs	
7. PAY PER MONTH a. BASIC \$990.00 b. SEA/FOREIGN DUTY N/A c. TOTAL \$990.00		8. NATURE OF RESTRAINT OF ACCUSED None	
		9. DATE(S) IMPOSED None	

## II. CHARGES AND SPECIFICATIONS

10.

## CHARGE I: VIOLATION OF THE UCMJ, ARTICLE 80

Specification 1: In that Midshipman Kazimir Biesiada, U.S. Navy, United States Naval Academy, on active duty, did, at or near the United States Naval Academy, Annapolis, Maryland, on or about 6 October 2013, attempt to commit abusive sexual contact upon Midshipman (b) (6), (b) (7)(C) U.S. Navy, to wit: attempting to put his hands inside Midshipman (b) (6), (b) (7)(C) shorts, by causing bodily harm to Midshipman (b) (6), (b) (7)(C) to wit: touching her waist without her consent.

Specification 2: In that Midshipman Kazimir Biesiada, U.S. Navy, United States Naval Academy, on active duty, did, at or near the United States Naval Academy, Annapolis, Maryland, on or about 6 October 2013, attempt to commit abusive sexual contact upon Midshipman (b) (6), (b) (7)(C) U.S. Navy, to wit: attempting to put Midshipman (b) (6), (b) (7)(C) hands inside his shorts, by causing bodily harm to Midshipman (b) (6), (b) (7)(C) to wit: grabbing her hands or arms without her consent.

\*\*\*SEE (1) ATTACHED CONTINUATION PAGE\*\*\*

## III. PREFERRAL

11a. NAME OF ACCUSER (Last, First, MI) (b) (6), (b) (7)(C)	b. GRADE LN1/E-6	c. ORGANIZATION OF ACCUSER U.S. NAVAL ACADEMY
(b) (6), (b) (7)(C)		e. DATE 27 JANUARY 2014

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above named accuser this 27 day of January, 2014, and signed the foregoing charges and specifications under oath that she is a person subject to the Uniform Code of Military Justice and that she either has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of her knowledge and belief.

(b) (6), (b) (7)(C)

Typed Name of Officer

LT, JAGC, USN

Grade and Service

(b) (6), (b) (7)(C)

Signature

U.S. NAVAL ACADEMY

Organization of Officer

Assistant Staff Judge Advocate

Official Capacity to Administer Oaths  
(See R.C.M. 307(b)--must be commissioned officer)



12. On 27 January 2014, the accused was informed of the charges against him/her and of the name(s) of the accuser(s) known to me. (See R.C.M. 308(a)). (See R.C.M. 308 if notification cannot be made.)

BYRNE, William D., Jr.

*Typed Name of Immediate Commander*

U.S. NAVAL ACADEMY

*Organization of Immediate Commander*

CAPT, USN

*Grade*

WDB

*Signature*

**IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY**

13. The sworn charges were received at 1100 hours, 30 January 2014 at \_\_\_\_\_  
*Designation of Command or*

U.S. NAVAL ACADEMY

*Officer Exercising Summary Court-Martial Jurisdiction (See R.C.M. 403)*

FOR THE<sup>+</sup>

MILLER, Michael H.

*Typed Name of Officer*

Superintendent

*Official Capacity of Officer Signing*

VADM, USN

*Grade*

M. H. Miller

*Signature*

**V. REFERRAL; SERVICE OF CHARGES**

14a. DESIGNATION OF COMMAND OF CONVENING AUTHORITY

b. PLACE

c. DATE

U.S. NAVAL ACADEMY

Annapolis, Maryland

Referred for trial to the \_\_\_\_\_ court-martial convened by \_\_\_\_\_

\_\_\_\_\_, \_\_\_\_\_ 2014 subject to the following instructions:<sup>2</sup> \_\_\_\_\_

By \_\_\_\_\_ of \_\_\_\_\_  
*Command or Order*

*Typed Name of Officer*

*Official Capacity of Officer Signing*

*Grade*

*Signature*

15. On \_\_\_\_\_ 2014, I (caused to be) served a copy hereof on (each of) the above named accused.

*Typed Name of Summary Court-Martial*

*Grade or Rank of Summary Court-Martial*

*Signature*

**FOOTNOTES**

1 -- When an appropriate commander signs personally, inapplicable words are stricken.  
2 -- See R.C.M. 601(e) concerning instructions. If none, so state.



**CHARGE II: VIOLATION OF THE UCMJ, ARTICLE 120**

Specification: In that Midshipman Kazimir Biesiada, U.S. Navy, United States Naval Academy, on active duty, did, at or near the United States Naval Academy, Annapolis, Maryland, on or about 6 October 2013, commit sexual contact upon Midshipman (b) (6), (b) (7)(C) U.S. Navy, to wit: kissing her on the mouth and touching her breast, by causing bodily harm to Midshipman (b) (6), (b) (7)(C), to wit: kissing and touching her without her consent.

**CHARGE III: VIOLATION OF THE UCMJ, ARTICLE 128**

Specification 1: In that Midshipman Kazimir Biesiada, U.S. Navy, United States Naval Academy, on active duty, did, at or near the United States Naval Academy, Annapolis, Maryland, on or about 6 October 2013, do bodily harm to Midshipman (b) (6), (b) (7)(C) U.S. Navy, by unlawfully grabbing her hands, pulling her towards him, and pushing her against a wall, with unlawful force or violence.

Specification 2: In that Midshipman Kazimir Biesiada, U.S. Navy, United States Naval Academy, on active duty, did, at or near the United States Naval Academy, Annapolis, Maryland, on or about 6 October 2013, do bodily harm to Midshipman (b) (6), (b) (7)(C) U.S. Navy, by unlawfully touching her waist with unlawful force or violence.

Specification 3: In that Midshipman Kazimir Biesiada, U.S. Navy, United States Naval Academy, on active duty, did, at or near the United States Naval Academy, Annapolis, Maryland, on or about 6 October 2013, do bodily harm to Midshipman (b) (6), (b) (7)(C) U.S. Navy, by unlawfully touching her hands or arms with unlawful force or violence.



DEPARTMENT OF DEFENSE REPORT OF RESULT OF TRIAL				1. DATE OF TRIAL (YYYYMMDD) 20161117	
TO: (Convening Authority) SUPERINTENDENT, UNITED STATES NAVAL ACADEMY					
1. NOTIFICATION UNDER R.C.M. 1101 IS HEREBY GIVEN IN THE CASE OF THE UNITED STATES VERSUS:					
a. NAME (Last, First, Middle Initial) WILSON, JOSEPH, M		b. BRANCH OF SERVICE USN	c. RANK/GRADE MIDN	d. DoD ID/SSN (Last 4) (b) (6), (b) (7)(C)	
e. ORGANIZATION (Full address) UNITED STATES NAVAL ACADEMY, 121 BLAKE ROAD, ANNAPOLIS MARYLAND, 21402-1300		2.a. TYPE OF COURT-MARTIAL (X one) <input checked="" type="checkbox"/> GENERAL <input type="checkbox"/> SPECIAL <input type="checkbox"/> SUMMARY <input type="checkbox"/> JUDGE ALONE <input type="checkbox"/> JUDGE ALONE			
b. CONVENED BY: COURT MARTIAL ORDER NUMBER(S) 1-16, 1B-16		c. ISSUING COMMAND UNITED STATES NAVAL ACADEMY		d. DATE (YYYYMMDD) 20161110	
3. SUMMARY OF OFFENSES, PLEAS AND FINDINGS					
a. CHARGE/ SPECIFICATION NO(S).	b. UCMJ ARTICLE(S)	c. DIBRS CODE	d. BRIEF DESCRIPTION OF OFFENSE	e. PLEA	f. FINDING
CHARGE SPEC	ART 120	120AA2	SEXUAL ASSAULT	NG NG	G G
4.a. DATE ADJUDGED (YYYYMMDD) 20161117			b. DATE OF ANY FORFEITURES OR REDUCTIONS (YYYYMMDD) 20161117		
5. SENTENCE To be dismissed from Naval service, forfeiture of all pay and allowances, and confinement for 30 months					
6.a. CONTENTS OF PRE-TRIAL AGREEMENT CONCERNING SENTENCE TO CONFINEMENT (If any) NONE IAW DoDI 5505.14					
b. DAYS OF PRE-TRIAL CREDIT N/A		c. DAYS OF OTHER JUDGE ORDERED CREDIT N/A		d. TOTAL PRESENTENCE CREDIT TOWARD POST-TRIAL CONFINEMENT N/A	
7. DNA PROCESSING: IAW 10 U.S.C. § 1565 IAW DoDI 5505.14		<input checked="" type="checkbox"/> IS		IS NOT REQUIRED.	
8. SEX OFFENDER REGISTRATION: IAW 42 U.S.C. § 14071 IAW 42 USC Sec. 16917		<input checked="" type="checkbox"/> IS		IS NOT REQUIRED.	
9. COMPANION ACCUSED/CO-ACCUSED (Name(s) and Social Security Number(s) (If any)) NONE					
10. DISTRIBUTION (Copy provided to named Agencies/Unit(s)) SUPERINTENDENT USNA; PSD; DISBURSING OFFICE; RECORD OF TRIAL; NCIS					
11. SIGNED BY (X one)		<input checked="" type="checkbox"/> TRIAL COUNSEL		SUMMARY COURT-MARTIAL OFFICER	
a. NAME (Last, First, Middle Initial) (b) (6), (b) (7)(C)		b. RANK/GRADE LCDR/O-4		c. BRANCH OF SERVICE USN	
d. SIGNATURE (b) (6), (b) (7)(C)				e. DATE SIGNED (YYYYMMDD) 20161117	



**INSTRUCTIONS FOR COMPLETING DD FORM 2707-1, "DEPARTMENT OF DEFENSE REPORT OF RESULT OF TRIAL"**

**Date of Trial:** Enter date (and all other dates) as 4 digit year, 2 digit month and 2 digit day, no separators

**To:** Address to the Convening Authority (CA). Include at least two elements of CA unit, geographical location and ZIP code.

**1. United States versus:**

- a. Name. Enter the accused name (Last, First, Middle Initial).
- b. Branch of Service (Army, Navy, Air Force, etc.).
- c. Rank/Grade (E-6, etc.).
- d. DoD ID number or Social Security Number (Last 4 only).
- e. Organization. Accused full unit address. Include at least two elements of the accused unit, geographical location and ZIP code.

**2. Type of Court Martial.** a. Enter an "X" in the appropriate box.

b. - d. Convened by: Convening Order number(s), issuing command, and date(s) of the Court Martial Order Number(s), or, if the trial is by SCM, note on form as appropriate and enter the date of detail of the SCM from the referral on Part V, DD Form 458.

**3. Summary of Offenses, Pleas, and Findings.**

- a. Charge Number(s) and Specification(s), if any.
- b. UCMJ Article(s). Article number list from the Uniform Code of Military Justice (example: ART 121).
- c. DIBRS Code. Offense severity scale, reference DoDI 1325.7 for code listing (example: ART 121-A1).
- d. Brief Description of Offense (example: Larceny).
- e. - f. Pleas/Findings. Respective pleas and findings or other disposition.

**4.a. Date Adjudged.** Date of court-martial.

b. Date of Forfeitures or Reductions. Any forfeiture of pay or allowances or reduction in grade that is included in a sentence of a CM takes effect on the earlier of: (1) the date that is 14 days after date on which the sentence is adjudged, or (2) the date on which the sentence is approved by the convening authority.

**5. Sentence.** Enter the sentence of the court-martial. If trial resulted in an acquittal, enter "N/A".

**6. Admin/Judicial Credit/Pre-Trial Agreement.**

- a. Enter the content of pre-trial agreement concerning sentence, if any. If none, enter "None".
- b. Enter the number of days the accused was in pre-trial (pre-sentence confinement). If none, enter "N/A".
- c. Enter the number of days of judge ordered administrative credit for illegal pre-trial (pre-sentence) confinement restriction found tantamount to confinement, if any. If none, enter "N/A".
- d. Enter the total number of days of pre-trial and judge ordered credit (pre-sentence) confinement credit towards post-trial confinement, if any. If none, enter "N/A".

**7. DNA Processing.** In accordance with 10 U.S.C. 1565, DNA samples are required on each person subject to UCMJ who is or has been convicted of a "Qualifying Military Offense" (QMO). A QMO is any offense under UCMJ punishable by a sentence to confinement for more than one year, regardless of the sentence imposed. The Service is authorized to collect DNA samples at any time after a general or special court-martial sentence is adjudged for one or more QMO(s). It is the Court-Martial Convening Authority (CMCA) action under Article 60 that determines whether the result of trial concludes with a QMO conviction.

NOTE: DNA sample does not apply to the finding of SCM or proceeding under Article 15, UCMJ.

**8. Sex Offender Registration.** In accordance with 42 U.S.C. 14071: a person convicted of any of the offenses punishable under the UCMJ (reference DoDI 1325.7 -E27 for listing). NOTE: A "Qualifying Military Offense" is a felony or sexual offense determined by the Secretary of Defense to be a QMO for the purpose of 10 U.S.C.

**9. Companion Accused/Co-Accused.** Enter the name(s) and Social Security Number(s) (last 4 digits only) of companion or co-accused, if any. If none, enter "N/A".

**10. Distribution.** Enter a list of copies furnished to named agencies or units (example: Finance, Company, etc.). NOTE: Make sufficient copies after the form is signed by the trial counsel or SCM Officer. Forward the original to the convening authority.

**11. Signed By.** Enter an "X" in the box to indicate whether Trial Counsel or Summary Court-Martial Officer.

a. - e. Enter the full name, rank/grade and branch of service of the trial counsel or the summary court-martial officer.

NOTE: You should ensure that a copy of the Department of Defense Result of Trial is expeditiously provided to the Finance and Accounting Office (FAO) in any case involving a reduction in rank or forfeiture of pay or fine.



# CHARGE SHEET

## I. PERSONAL DATA

1. NAME OF ACCUSED (Last, First, Middle Initial) WILSON, JOSEPH MICHAEL		2. SSN (b) (6), (b) (7)(C)	3. RANK/RATE MIDN	4. PAY GRADE MIDN
5. UNIT OR ORGANIZATION UNITED STATES NAVAL ACADEMY			6. CURRENT SERVICE	
			a. INITIAL DATE 27 JUN 13	b. TERM 4 YEARS
7. PAY PER MONTH		8. NATURE OF RESTRAINT OF ACCUSED		9. DATE(S) IMPOSED
a. BASIC \$1040.70	b. SEA/FOREIGN DUTY N/A	c. TOTAL 1040.70	NONE	N/A

## II. CHARGES AND SPECIFICATIONS

10.

### CHARGE: VIOLATION OF THE UCMJ, ARTICLE 120

Specification 1 (Sexual Assault – Bodily Harm): In that Midshipman Joseph M. Wilson, U.S. Navy, United States Naval Academy, on active duty, did, at or near Annapolis, MD, on or about 3 June 2015, commit a sexual act upon Midshipman (b) (6), (b) (7)(C), to wit: penetrating her vulva with his finger, by causing bodily harm to her, to wit: penetrating her vulva with his finger.

Specification 2 (Sexual Assault – Bodily Harm): In that Midshipman Joseph M. Wilson, U.S. Navy, United States Naval Academy, on active duty, did, at or near Annapolis, MD, on or about 5 June 2015, commit a sexual act upon Midshipman (b) (6), (b) (7)(C), to wit: penetrating her vulva with his penis, by causing bodily harm to her, to wit: penetrating her vulva with his penis.

AND NO OTHERS.

## III. PREFERRAL

11a. NAME OF ACCUSER (Last, First, Middle Initial) (b) (6), (b) (7)(C)	b. GRADE LN1/E-6	c. ORGANIZATION OF ACCUSER U.S. NAVAL ACADEMY
d. SIGNATURE OF ACCUSER (b) (6), (b) (7)(C)	e. DATE (YYYYMMDD) 20160418	

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above named accuser this 18 day of APRIL, 2016, and signed the foregoing charges and specifications under oath that he/she is a person subject to the Uniform Code of Military Justice and that he/she either has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his/her knowledge and belief.

(b) (6), (b) (7)(C)

Typed Name of Officer

LCDR, JAGC, USN

Grade

(b) (6), (b) (7)(C)

Signature

U.S. NAVAL ACADEMY

Organization of Officer

LEGAL ADVISOR

Official Capacity to Administer Oaths  
(See R. C. M. 307(b) must be commissioned officer)



12. On 18 APRIL, 2016, the accused was informed of the charges against him/her and of the name(s) of the Accuser(s) known to me (See R.C.M. 308(a)). (See R.C.M. 308 if notification cannot be made.)

LISZEWSKI, STEPHEN E.

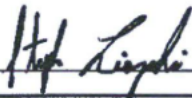
*Typed Name of Immediate Commander*

U.S. NAVAL ACADEMY

*Organization of Immediate Commander*

COL, USMC

*Grade*



*Signature*

IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY

13. The sworn charges were received at 1600 hours, 18 APR, 2016 at U.S. Naval Academy.

*Designation of Command or Officer exercising Summary Court-Martial Jurisdiction (See R.C.M. 403).*

CARTER, WALTER, JR.

*Typed Name of Officer*

FOR THE<sup>1</sup>

SUPERINTENDENT

*Official Capacity of Officer Signing*

VADM, USN

*Grade*



*Signature*

V. REFERRAL; SERVICE OF CHARGES

14a. DESIGNATION OF COMMAND OF CONVENING AUTHORITY

U.S. NAVAL ACADEMY

b. PLACE

ANNAPOLIS, MD

c. DATE

Referred for trial to the \_\_\_\_\_ Court-Martial convened by \_\_\_\_\_ Court-Martial Convening Order Number \_\_\_\_\_, dated \_\_\_\_\_, subject to the following instructions:<sup>2</sup>

By \_\_\_\_\_ of \_\_\_\_\_  
*Command or Order*

CARTER, WALTER, JR.

*Typed Name of Officer*

SUPERINTENDENT

*Official Capacity of Officer Signing*

VADM, USN

*Grade*

*Signature*

15. On \_\_\_\_\_, 2016, I (caused to be) served a copy hereof on (each of) the above named accused.

*Typed Name of TRIAL COUNSEL*

*Grade or Rank of TRIAL COUNSEL*

*Signature*

FOOTNOTES: 1 - When an appropriate commander signs personally, inapplicable words are stricken.  
2 - See R.C.M. 601(e) concerning instructions. If none, so state.